

**DELEGATION OF AUTHORITY  
SOLID WASTE DISPOSAL ACT (SWDA)**

Administrative Enforcement - Corrective Action Authority: Issuance  
of Orders and Signing of Consent Agreements

1. **AUTHORITY.** Pursuant to Subtitle C, Section 3008(h) of the SWDA, to issue order requiring corrective action or other responses deemed necessary to protect human health or the environment; to issue orders which suspend or revoke authorization to operate under Section 3005(e) of the SWDA; to negotiate and sign consent agreements memorializing settlements between the Agency and respondents; and to represent the Agency in administrative enforcement actions.
2. **TO WHOM REDELEGATED.**
  - a. To the Director, Enforcement and Compliance Assurance Division, or equivalent.
  - b. To the Director, Land, Chemicals, and Redevelopment Division, or equivalent.
  - c. The authority to negotiate consent agreements and to represent EPA in administrative enforcement actions is redelegated through the Regional Counsel, Office of Regional Counsel, or equivalent, and through the Branch Chiefs, Air, Toxics, and Information Law Branch, Land Law Branch, and Water Law Branch, or equivalents, to the staff attorneys in the Office of Regional Counsel.
3. **LIMITATIONS.**
  - a. The regional administrator or division director must obtain the advance concurrence of the AA for OECA before exercising any of the above authorities.
  - b. Once the recipient of an order requests or fails to request a hearing within the specified time period, the Regional Counsel, or designee, and technical program staff may conduct any negotiations, and negotiate and sign resulting agreements.
  - c. The regional administrator or division director must consult with the Regional Counsel, or designee, when exercising any of the above authorities.
  - d. The AA for OECA must notify any affected regional administrator or division director before exercising any of the above authorities.
  - e. The regional administrator or division director may exercise this authority only for those cases initiated by the Region.
  - f. The AA for OECA may waive the advance concurrence requirement and/or the notification requirement by memorandum.
  - g. The clearance or approval of the form, text, and legal sufficiency of each legally operative document issued under this authority must be obtained from the Office of Regional Counsel before that document is signed and issued.
4. **REDELEGATION AUTHORITY.**
  - a. This authority may be redelegated.
  - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of

command down to the official to whom it has been specifically redelegated.

**5. SUPERSESSION.** This delegation supersedes R10 8-32 (07/11/2016) and any other delegation of the same authority.

**6. ADDITIONAL REFERENCES.**

- a. Section 3008(h) of SWDA.
- b. EPA Delegations 8-10-A, 8-10-C, 8-10-D, and 8-31.
- c. EPA Delegation 8-32.

Date

June 27, 2019

Chris Hladick

Regional Administrator

